



Computershare Governance Services, Inc.
100 Beard Sawmill Road, Shelton, CT 06484

06/27/2022

Wendy's International, LLC
Megan Geiger
Wendy's International, LLC
One Dave Thomas Blvd.
Dublin OH 43017

SERVICE OF PROCESS NOTICE

Item: 2022-268

The following is a courtesy summary of the enclosed document(s). **ALL information should be verified by you.**

Note: Any questions regarding the substance of the matter described below, including the status or how to respond, should be directed to the contact set forth in line 12 below or to the court or government agency where the matter is being heard.

1.	Entity Served:	Wendy's International, LLC
2.	Title of Action:	Latasha Colvard vs. Wendy's International, LLC, and Wendy's Properties, LLC
3.	Document(s) Served:	Summons Proof of Service of Summons and Complaint/Petition Compliant at Law Rule 222(b) Affidavit
4.	Court/Agency:	Cook County Circuit Court
5.	State Served:	Illinois
6.	Case Number:	2022L005306
7.	Case Type:	Negligence
8.	Method of Service:	Hand Delivered
9.	Date Received:	Thursday 06/23/2022
10.	Date to Client:	Monday 06/27/2022
11.	# Days When Answer Due: Answer Due Date:	30 Saturday 07/23/2022 CAUTION: Client is solely responsible for verifying the accuracy of the estimated Answer Due Date. To avoid missing a crucial deadline, we recommend immediately confirming in writing with opposing counsel that the date of the service in their records matches the Date Received.
12.	Sop Sender: (Name, City, State, and Phone Number)	Patricia A. Hudson Chicago, IL 312-586-1700
13.	Shipped To Client By:	Email Only with PDF Link
14.	Tracking Number:	
15.	Handled By:	141
16.	Notes:	None.

NOTE: This notice and the information above is provided for general informational purposes only and should not be considered a legal opinion. The client and their legal counsel are solely responsible for reviewing the service of process and verifying the accuracy of all information. At ComputerShare, we take pride in developing systems that effectively manage risk so our clients feel comfortable with the reliability of our service. We always deliver service of process so our clients avoid the risk of a default judgment. As registered agent, our role is to receive and forward service of process. To decrease risk for our clients, it is not our role to determine the merits of whether service of process is valid and effective. It is the role of legal counsel to assess whether service of process is invalid or defective. Registered agent services are provided by United Agent Group Inc.

Phone: 866 820 7754, Option 2 | www.cgsregisteredagent.com

Filing Date: <u>Not for use on forms approved by the Illinois Supreme Court and is required to be accepted in an e-filing system.</u> Location: <<Court Room Number>> Judge: Calendar, C		For Court Use Only * 5 0 1 7 9 7 6 1 * FILED 6/15/2022 2:18 PM IRIS Y. MARTINEZ CIRCUIT CLERK COOK COUNTY, IL 2022L005306 Calendar, C 18302076	
STATE OF ILLINOIS, CIRCUIT COURT Cook COUNTY		SUMMONS	
Instructions ▼ Enter above the county name where the case was filed. Enter your name as Plaintiff/Petitioner. Enter the names of all people you are suing as Defendants/Respondents. Enter the Case Number given by the Circuit Clerk.	Latasha Colvard Plaintiff / Petitioner (First, middle, last name) v. Wendy's International, LLC, and Wendy's Properties, LLC Defendant / Respondent (First, middle, last name) LLC <input type="checkbox"/> Alias Summons (Check this box if this is not the 1 st Summons issued for this Defendant.)		2022 L 005306 Case Number

IMPORTANT INFORMATION:

There may be court fees to start or respond to a case. If you are unable to pay your court fees, you can apply for a fee waiver. You can find the fee waiver application at: illinoiscourts.gov/documents-and-forms/approved-forms/.

E-filing is now mandatory with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit efile.illinoiscourts.gov/service-providers.htm to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit illinoiscourts.gov/faq/gethelp.asp or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit illinoislegalaid.org.

Call or text Illinois Court Help at 833-411-1121 for information about how to go to court including how to fill out and file forms. You can also get free legal information and legal referrals at illinoislegalaid.org.

Plaintiff/Petitioner:

Do not use this form in an eviction, small claims, detinue, divorce, or replevin case. Use the *Eviction Summons*, *Small Claims Summons*, or *Summons Petition for Dissolution of Marriage / Civil Union* available at illinoiscourts.gov/documents-and-forms/approved-forms. If your case is a detinue or replevin, visit illinoislegalaid.org for help.

If you are suing more than 1 Defendant/Respondent, fill out a *Summons* form for each Defendant/Respondent.

In **1a**, enter the name and address of a Defendant/Respondent. If you are serving a Registered Agent, include the Registered Agent's name and address here.

In **1b**, enter a second address for Defendant/Respondent, if you have one.

In **1c**, check how you are sending your documents to Defendant/Respondent.

1. Defendant/Respondent's address and service information:
a. Defendant/Respondent's primary address/information for service:

Name (First, Middle, Last): Wendy's International, LLC.

Registered Agent's name, if any: United Agent Group, Inc.

Street Address, Unit #: 350 S. Northwest Highway, Suite 300

City, State, ZIP: Park Ridge, IL 60068

Telephone: _____ Email: _____

b. If you have more than one address where Defendant/Respondent might be found, list that here:

Name (First, Middle, Last): _____

Street Address, Unit #: _____

City, State, ZIP: _____

Telephone: _____ Email: _____

c. Method of service on Defendant/Respondent:

☒ Sheriff

☐ Sheriff outside Illinois: _____

County & State

☐ Special process server

☐ Licensed private detective

In 2, enter the amount of money owed to you.

In 3, enter your complete address, telephone number, and email address, if you have one.

2. Information about the lawsuit:

Amount claimed: \$ 50,000.00

3. Contact information for the Plaintiff/Petitioner:

Name (First, Middle, Last): TPMB, LLC - Attorney Patricia A. Hudson

Street Address, Unit #: 225 W. Wacker Drive, Suite 1650

City, State, ZIP: Chicago, IL 60606

Telephone: (312) 586-1700 Email: Phudson@tpmblegal.com

GETTING COURT DOCUMENTS BY EMAIL: You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information, notice of court dates, or documents from other parties.

Important information for the person getting this form

You have been sued. Read all of the documents attached to this *Summons*. To participate in the case, you must follow the instructions listed below. If you do not, the court may decide the case without hearing from you and you could lose the case. *Appearance* and *Answer/Response* forms can be found at: illinoiscourts.gov/documents-and-forms/approved-forms/.

Check 4a or 4b. If Defendant/Respondent only needs to file an *Appearance* and *Answer/Response* within 30 days, check box 4a. Otherwise, if the clerk gives you a court date, check box 4b.

In 4a, fill out the address of the court building where the Defendant may file or e-file their *Appearance* and *Answer/Response*.

In 4b, fill out:

- The court date and time the clerk gave you.
- The courtroom and address of the court building.
- The call-in or video information for remote appearances (if applicable).
- The clerk's phone number and website. All of this information is available from the Circuit Clerk.

4. Instructions for person receiving this *Summons* (Defendant):

- ☒ a. To respond to this *Summons*, you must file *Appearance* and *Answer/Response* forms with the court within 30 days after you have been served (*not counting the day of service*) by e-filing or at:

Address: Richard J. Daley Center - 50 W. Washington Street, Room 801

City, State, ZIP: Chicago, IL 60606

- ☐ b. Attend court:

On: _____ at _____ ☐ a.m. ☐ p.m. in _____
Date Time Courtroom

In-person at:

Courthouse Address City State ZIP
OR

Remotely (You may be able to attend this court date by phone or video conference. This is called a "Remote Appearance"):

By telephone: _____
Call-in number for telephone remote appearance

By video conference: _____
Video conference website

Video conference log-in information (meeting ID, password, etc.)

Call the Circuit Clerk at: _____ or visit their website
Circuit Clerk's phone number

at: _____ to find out more about how to do this.
Website



Seal of Court

STOP!

The Circuit Clerk will fill in this section.

STOP!

The officer or process server will fill in the Date of Service.

Witness this Date: 6/15/2022 2:18 PM IRIS Y. MARTINEZ

Clerk of the Court: _____

This *Summons* must be served within 30 days of the witness date.

Date of Service: _____
(Date to be entered by an officer or process server on the copy of this *Summons* left with the Defendant or other person.)

For Court Use Only

* 5 0 1 7 9 7 6 1 *

2022 L 005306

Case Number

****Stop. Do not complete the form. The sheriff or special process server will fill in the form.****

My name is _____ **and I state** _____

First, Middle, Last

☐ I served the *Summons* and Complaint/Petition on the Defendant/Respondent

as follows:

First, Middle, Last

☐ Personally on the Defendant/Respondent:

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: _____ Race: _____

On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address, Unit#: _____

City, State, ZIP: _____

☐ On someone else at the Defendant/Respondent's home who is at least 13 years old and is a family member or lives there:

On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address, Unit#:

City, State, ZIP: _____

And left it with: _____

First. Middle. Last

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: _____ Race: _____

and by sending a copy to this defendant in a postage-paid, sealed envelope to the

above address on _____, 20____.

☐ On the Corporation's agent, _____
First, Middle, Last

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: _____ Race: _____

On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

☐ I was not able to serve the *Summons* and Complaint/Petition on Defendant/Respondent:

* 5 0 1 7 9 7 6 1 *

First, Middle, Last

I made the following attempts to serve the *Summons* and Complaint/Petition on the Defendant/Respondent:

1. On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

Other information about service attempt: _____

2. On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

Other information about service attempt: _____

3. On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

Other information about service attempt: _____

DO NOT complete this section. The sheriff or private process server will complete it.

If you are a special process server, sheriff outside Illinois, or licensed private detective, your signature certifies that everything on the *Proof of Service of Summons* is true and correct to the best of your knowledge. You understand that making a false statement on this form could be perjury.

By:

FEES

Service and Return: \$ _____
Miles _____ \$ _____
Total \$ 0.00

Signature by: ☐ Sheriff
☐ Sheriff outside Illinois:

County and State

☐ Special process server
☐ Licensed private detective

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

Print Name

If *Summons* is served by licensed private detective or private detective agency:

License Number: _____

hearing Date: Not for Court Use Only
 Location: <<Court Room Number>>
 Judge: Calendar, C

**STATE OF ILLINOIS,
CIRCUIT COURT**

Cook COUNTY

SUMMONS

For Court Use Only

* 5 0 1 7 9 7 6 1 *
 FILED
 6/15/2022 2:18 PM
 IRIS Y. MARTINEZ
 CIRCUIT CLERK
 COOK COUNTY, IL
 2022L005306
 Calendar, C
 18302076

Instructions ▼

Enter above the county name where the case was filed.

Enter your name as Plaintiff/Petitioner.

Enter the names of all people you are suing as Defendants/Respondents.

Enter the Case Number given by the Circuit Clerk.

Latasha Colvard

Plaintiff / Petitioner (First, middle, last name)

v.

Wendy's International, LLC, and Wendy's Properties, LLC

Defendant / Respondent (First, middle, last name) LLC

☐ **Alias Summons** (Check this box if this is not the 1st Summons issued for this Defendant.)

2022 L 005306

Case Number

IMPORTANT INFORMATION:

There may be court fees to start or respond to a case. If you are unable to pay your court fees, you can apply for a fee waiver. You can find the fee waiver application at: illinoiscourts.gov/documents-and-forms/approved-forms/.

E-filing is now mandatory with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit efile.illinoiscourts.gov/service-providers.htm to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit illinoiscourts.gov/faq/gethelp.asp or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit illinoislegalaid.org.

Call or text Illinois Court Help at 833-411-1121 for information about how to go to court including how to fill out and file forms. You can also get free legal information and legal referrals at illinoislegalaid.org.

Plaintiff/Petitioner:

Do not use this form in an eviction, small claims, detinue, divorce, or replevin case. Use the *Eviction Summons*, *Small Claims Summons*, or *Summons Petition for Dissolution of Marriage / Civil Union* available at illinoiscourts.gov/documents-and-forms/approved-forms. If your case is a detinue or replevin, visit illinoislegalaid.org for help.

If you are suing more than 1 Defendant/Respondent, fill out a *Summons* form for each Defendant/Respondent.

In **1a**, enter the name and address of a Defendant/Respondent. If you are serving a Registered Agent, include the Registered Agent's name and address here.

In **1b**, enter a second address for Defendant/Respondent, if you have one.

In **1c**, check how you are sending your documents to Defendant/Respondent.

1. Defendant/Respondent's address and service information:

a. Defendant/Respondent's primary address/information for service:

Name (First, Middle, Last): Wendy's International, LLC.

Registered Agent's name, if any: United Agent Group, Inc.

Street Address, Unit #: 350 S. Northwest Highway, Suite 300

City, State, ZIP: Park Ridge, IL 60068

Telephone: _____ Email: _____

b. If you have more than one address where Defendant/Respondent might be found, list that here:

Name (First, Middle, Last): _____

Street Address, Unit #: _____

City, State, ZIP: _____

Telephone: _____ Email: _____

c. Method of service on Defendant/Respondent:

☒ Sheriff ☐ Sheriff outside Illinois: _____

County & State

☐ Special process server

☐ Licensed private detective

In 2, enter the amount of money owed to you.

In 3, enter your complete address, telephone number, and email address, if you have one.

2. Information about the lawsuit:

Amount claimed: \$ 50,000.00

3. Contact information for the Plaintiff/Petitioner:

Name (First, Middle, Last): TPMB, LLC - Attorney Patricia A. Hudson

Street Address, Unit #: 225 W. Wacker Drive, Suite 1650

City, State, ZIP: Chicago, IL 60606

Telephone: (312) 586-1700 Email: Phudson@tpmblegal.com

GETTING COURT DOCUMENTS BY EMAIL: You should use an email account that you do not share with anyone else and that you check every day. If you do not check your email every day, you may miss important information, notice of court dates, or documents from other parties.

Important information for the person getting this form

You have been sued. Read all of the documents attached to this *Summons*.

To participate in the case, you must follow the instructions listed below. If you do not, the court may decide the case without hearing from you and you could lose the case. *Appearance* and *Answer/Response* forms can be found at: illinoiscourts.gov/documents-and-forms/approved-forms/.

Check 4a or 4b. If Defendant/Respondent only needs to file an *Appearance* and *Answer/Response* within 30 days, check box 4a. Otherwise, if the clerk gives you a court date, check box 4b.

In 4a, fill out the address of the court building where the Defendant may file or e-file their *Appearance* and *Answer/Response*.

In 4b, fill out:

- The court date and time the clerk gave you.
- The courtroom and address of the court building.
- The call-in or video information for remote appearances (if applicable).
- The clerk's phone number and website. All of this information is available from the Circuit Clerk.

4. Instructions for person receiving this *Summons* (Defendant):

- ☒ a. To respond to this *Summons*, you must file *Appearance* and *Answer/Response* forms with the court within 30 days after you have been served (not counting the day of service) by e-filing or at:

Address: Richard J. Daley Center - 50 W. Washington Street, Room 801

City, State, ZIP: Chicago, IL 60606

- ☐ b. Attend court:

On: _____ at _____ ☐ a.m. ☐ p.m. in _____
Date Time Courtroom

In-person at:

Courthouse Address City State ZIP
OR

Remotely (You may be able to attend this court date by phone or video conference.

This is called a "Remote Appearance"):

By telephone:

Call-in number for telephone remote appearance

By video conference:

Video conference website

Video conference log-in information (meeting ID, password, etc.)

Call the Circuit Clerk at: _____ or visit their website

Circuit Clerk's phone number

at: _____ to find out more about how to do this.

Website



Seal of Court

STOP!

The Circuit Clerk will fill in this section.

STOP!

The officer or process server will fill in the Date of Service.

Witness this Date: 6/15/2022 2:18 PM IRIS Y. MARTINEZ

Clerk of the Court: _____

This *Summons* must be served within 30 days of the witness date.

Date of Service: _____
(Date to be entered by an officer or process server on the copy of this *Summons* left with the Defendant or other person.)

For Court Use Only

****Stop. Do not complete the form. The sheriff or special process server will fill in the form.****

My name is _____ **and I state** _____

First, Middle, Last

☐ I served the *Summons* and Complaint/Petition on the Defendant/Respondent

as follows:

First, Middle, Last

- ☐ Personally on the Defendant/Respondent:

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: _____ Race: _____

On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address, Unit#: _____

City, State, ZIP: _____

- ☐ On someone else at the Defendant/Respondent's home who is at least 13 years old and is a family member or lives there:

On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address, Unit#: _____

City, State, ZIP: _____

And left it with: _____

First, Middle, Last

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: _____ Race: _____

and by sending a copy to this defendant in a postage-paid, sealed envelope to the above address on _____, 20_____.

- ☐ On the Corporation's agent, _____
First, Middle, Last

Male ☐ Female ☐ Non-Binary ☐ Approx. Age: _____ Race: _____

On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

☐ I was not able to serve the *Summons* and Complaint/Petition on Defendant/Respondent:

* 5 0 1 7 9 7 6 1 *

First, Middle, Last

I made the following attempts to serve the *Summons* and Complaint/Petition on the Defendant/Respondent:

1. On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

Other information about service attempt: _____

2. On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

Other information about service attempt: _____

3. On this date: _____ at this time: _____ ☐ a.m. ☐ p.m.

Address: _____

City, State, ZIP: _____

Other information about service attempt: _____

DO NOT complete this section. The sheriff or private process server will complete it.

If you are a special process server, sheriff outside Illinois, or licensed private detective, your signature certifies that everything on the *Proof of Service of Summons* is true and correct to the best of your knowledge. You understand that making a false statement on this form could be perjury.

By:

FEES

Signature by: ☐ Sheriff
☐ Sheriff outside Illinois:

Service and Return: \$ _____
Miles: \$ _____
Total: \$ 0.00

County and State

☐ Special process server
☐ Licensed private detective

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

Print Name

If *Summons* is served by licensed private detective or private detective agency:

License Number: _____

FILED
 6/13/2022 3:38 PM
 IRIS Y. MARTINEZ
 CIRCUIT CLERK
 COOK COUNTY, IL
 2022L005306
 Calendar, C
 18269880

**IN THE CIRCUIT COURT COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW DIVISION**

LATASHA COLVARD,

**Plaintiff,
 vs.**

**WENDY'S INTERNATIONAL, LLC,
 and WENDY'S PROPERTIES, LLC,**

Defendant.

Court No.

Jury Demand

COMPLAINT AT LAW

COUNT I – NEGLIGENCE

Latasha Colvard v. Wendy's International, LLC

NOW COMES Plaintiff, **LATASHA COLVARD**, by and through her attorneys, Taxman, Pollock, Murray & Bekkerman, LLC, and complains against Defendants, **WENDY'S INTERNATIONAL, LLC**, and states as follows:

1. At all times relevant to this cause of action, Plaintiff **LATASHA COLVARD** (hereinafter "**LATASHA**") was a resident of the County of Cook, State of Illinois.
2. At all times relevant to this cause of action, Defendant **WENDY'S INTERNATIONAL, LLC** (hereinafter "**WENDY'S INTERNATIONAL**") was a domestic corporation licensed to do business in the State of Illinois with its registered agent address as United Agent Group, Inc., 350 South Northwest Highway, Suite 300, Park Ridge, Illinois 60068.
3. On March 24, 2021, and for a long time prior thereto, the Defendant **WENDY'S INTERNATIONAL**, owned, leased, possessed, operated, managed, maintained, designed, inspected, planned, and controlled or had a duty to own, lease, possess, operate, manage, maintain, design, inspect, plan and control, both directly and indirectly, individually and through its agent,

servants and employees, a certain premise located at or near 8645 South Stony Island Avenue, Chicago, Illinois 60617.

4. On March 24, 2021, Plaintiff **LATASHA**, was lawfully on the premises of Defendant **WENDY'S INTERNATIONAL**, located at 8645 South Stony Island Avenue, Chicago, Illinois 60617 (hereinafter "premises") as a customer of the store.

5. On and before March 24, 2021, and at all times relevant, Defendant **WENDY'S INTERNATIONAL**, individually and/or by and through its agents, servants and employees, retained the right to control, manage and maintain the aforesaid premises.

6. That at the aforementioned time and place and prior thereto, Defendant **WENDY'S INTERNATIONAL**, individually and/or by and through its agents, servants, and employees, had a duty to use ordinary care for the safety of the Plaintiff **LATASHA**.

7. That at the aforesaid time and place, Plaintiff **LATASHA** was walking within the premises to exit.

8. That Defendant **WENDY'S INTERNATIONAL**, individually and/or by and through its agents, servants and employees, was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Improperly operated, managed, maintained, and controlled the aforesaid premises, so that as a direct and proximate result thereof, the Plaintiff was injured;
- b. Created a dangerous condition on the premises;
- c. Allowed and permitted liquid to be on the floor of the premises;
- d. Failed to warn customers, including Plaintiff of the liquid on the floor of the premises;
- e. Failed to maintain the floors, aisles and/or customer walkways entering and exiting the premises, in a reasonable, safe and proper condition;



- f. Failed to properly and adequately remove liquid from the floor of the premises;
- g. Failed to make a reasonable inspection of the aforesaid floors when the Defendant knew, or should have known, that said inspection was necessary to prevent injury to the Plaintiff;
- h. Failed to warn the Plaintiff of the dangerous condition on the floors when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;
- i. Failed to warn, block off, post signage, and/or barricade the floor to prevent injury to Plaintiff;
- j. Failed to ensure a safe, suitable and proper place for Plaintiff to walk while she was a customer in the premises;
- k. Failed to provide adequate safeguards to prevent the Plaintiff from injury while lawfully upon said premises;
- l. Failed to provide the Plaintiff with a safe pathway to walk within the premises;
- m. Failed to provide the Plaintiff with a safe pathway to walk while exiting the premises; and/or
- n. Was otherwise careless or negligent.

9. That on the aforementioned date and as a result of the aforesaid acts of the Defendant **WENDY'S INTERNATIONAL**, the Plaintiff was caused to slip and fall due to liquid on the floor of the premises as she was exiting the restaurant.

10. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant **WENDY'S INTERNATIONAL**, the Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to her usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish; both in mind and body and will in the future continue to suffer. The Plaintiff further



expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, the Plaintiff, LATASHA COLVARD, demands judgment against the Defendant **WENDY'S INTERNATIONAL**, in a dollar amount to satisfy the jurisdictional limitation of this Court and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

COUNT II - PREMISES
Latasha Colvard v. Wendy's International, LLC

NOW COMES the Plaintiff, **LATASHA COLVARD**, by and through her attorneys, TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC, and brings this Complaint at Law against Defendant **WENDY'S INTERNATIONAL, LLC**, and in support thereof, states as follows:

1. At all times relevant to this cause of action, Plaintiff **LATASHA COLVARD** (hereinafter "**LATASHA**") was a resident of the County of Cook, State of Illinois.
2. At all times relevant to this cause of action, Defendant **WENDY'S INTERNATIONAL, LLC** (hereinafter "**WENDY'S INTERNATIONAL**") was a domestic corporation licensed to do business in the State of Illinois with its registered agent address as United Agent Group, Inc., 350 South Northwest Highway, Suite 300, Park Ridge, Illinois 60068.
3. On March 24, 2021, and for a long time prior thereto, the Defendant **WENDY'S INTERNATIONAL**, owned, leased, possessed, operated, managed, maintained, designed, inspected, planned, and controlled or had a duty to own, lease, possess, operate, manage, maintain, design, inspect, plan and control, both directly and indirectly, individually and through its agent, servants and employees, a certain premise located at or near 8645 South Stony Island Avenue, Chicago, Illinois 60617.



4. On March 24, 2021, Plaintiff **LATASHA**, was lawfully on the premises of Defendant **WENDY'S INTERNATIONAL**, located at 8645 South Stony Island Avenue, Chicago, Illinois 60617 (hereinafter "premises") as a customer of the store.

5. On and before March 24, 2021, and at all times relevant, Defendant **WENDY'S INTERNATIONAL**, individually and/or by and through its agents, servants and employees, retained the right to control, manage and maintain the aforesaid premises.

6. On March 24, 2021 and prior thereto, the Defendant, **WENDY'S INTERNATIONAL**, individually and/or by and through its agents, servants and employees, well knowing its duty in this regard, carelessly and negligently caused and permitted said premises to become and remain in a dangerous condition for persons using said premises, although the Defendant knew, or in the exercise of ordinary and reasonable care should have known, of said dangerous condition.

7. That at the aforesaid time and place, Plaintiff **LATASHA** was walking within the premises to exit the restaurant.

8. Defendant **WENDY'S INTERNATIONAL**, individually and/or by and through its agents, servants and employees, was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Improperly operated, managed, maintained, and controlled the aforesaid premises, so that as a direct and proximate result thereof, the Plaintiff was injured;
- b. Created a dangerous condition on the premises;
- c. Allowed and permitted liquid to be on the floor of the premises;
- d. Failed to warn customers, including Plaintiff of the liquid on the floor of the premises;
- e. Failed to maintain the floors, aisles and/or customer walkways entering and exiting the premises, in a reasonable, safe and proper condition;



- f. Failed to properly and adequately remove liquid from the floor of the premises;
- g. Failed to make a reasonable inspection of the aforesaid floors when the Defendant knew, or should have known, that said inspection was necessary to prevent injury to the Plaintiff;
- h. Failed to warn the Plaintiff of the dangerous condition on the floors when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;
- i. Failed to warn, block off, post signage, and/or barricade the floor to prevent injury to Plaintiff;
- j. Failed to ensure a safe, suitable and proper place for Plaintiff to walk while she was a customer in the premises;
- k. Failed to provide adequate safeguards to prevent the Plaintiff from injury while lawfully upon said premises;
- l. Failed to provide the Plaintiff with a safe pathway to walk within the premises;
- m. Failed to provide the Plaintiff with a safe pathway to walk while exiting the premises; and/or
- n. Was otherwise careless or negligent.

9. That on the aforementioned date and as a result of the aforesaid acts of the Defendant **WENDY'S INTERNATIONAL**, the Plaintiff was caused to slip and fall due to liquid on the floor of the premises as she was exiting the restaurant.

10. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant **WENDY'S INTERNATIONAL**, the Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to her usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish; both in mind and body and will in the future continue to suffer. The Plaintiff further



expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, the Plaintiff, **LATASHA COLVARD**, demands judgment against the Defendant, **WENDY'S INTERNATIONAL**, in a dollar amount to satisfy the jurisdictional limitation of this Court and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

COUNT III – NEGLIGENCE
Latasha Colvard v. Wendy's Properties, LLC

NOW COMES Plaintiff, **LATASHA COLVARD**, by and through her attorneys, Taxman, Pollock, Murray & Bekkerman, LLC, and complains against Defendants, **WENDY'S PROPERTIES, LLC**, and states as follows:

1. At all times relevant to this cause of action, Plaintiff **LATASHA COLVARD** (hereinafter "**LATASHA**") was a resident of the County of Cook, State of Illinois.
2. At all times relevant to this cause of action, Defendant **WENDY'S PROPERTIES, LLC** (hereinafter "**WENDY'S PROPERTIES**") was a domestic corporation licensed to do business in the State of Illinois with its registered agent address as United Agent Group, Inc., 350 South Northwest Highway, Suite 300, Park Ridge, Illinois 60068.
3. On March 24, 2021, and for a long time prior thereto, the Defendant **WENDY'S PROPERTIES**, owned, leased, possessed, operated, managed, maintained, designed, inspected, planned, and controlled or had a duty to own, lease, possess, operate, manage, maintain, design, inspect, plan and control, both directly and indirectly, individually and through its agent, servants and employees, a certain premise located at or near 8645 South Stony Island Avenue, Chicago, Illinois 60617.



4. On March 24, 2021, Plaintiff **LATASHA**, was lawfully on the premises of Defendant **WENDY'S PROPERTIES**, located at 8645 South Stony Island Avenue, Chicago, Illinois 60617 (hereinafter "premises") as a customer of the store.

5. On and before March 24, 2021, and at all times relevant, Defendant **WENDY'S PROPERTIES**, individually and/or by and through its agents, servants and employees, retained the right to control, manage and maintain the aforesaid premises.

6. That at the aforementioned time and place and prior thereto, Defendant **WENDY'S PROPERTIES**, individually and/or by and through its agents, servants, and employees, had a duty to use ordinary care for the safety of the Plaintiff **LATASHA**.

7. That at the aforesaid time and place, Plaintiff **LATASHA** was walking within the premises to exit the restaurant.

8. That Defendant **WENDY'S PROPERTIES**, individually and/or by and through its agents, servants and employees, was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Improperly operated, managed, maintained, and controlled the aforesaid premises, so that as a direct and proximate result thereof, the Plaintiff was injured;
- b. Created a dangerous condition on the premises;
- c. Allowed and permitted liquid to be on the floor of the premises;
- d. Failed to warn customers, including Plaintiff of the liquid on the floor of the premises;
- e. Failed to maintain the floors, aisles and/or customer walkways entering and exiting the premises, in a reasonable, safe and proper condition;
- f. Failed to properly and adequately remove liquid from the floor of the premises;

- g. Failed to make a reasonable inspection of the aforesaid floors when the Defendant knew, or should have known, that said inspection was necessary to prevent injury to the Plaintiff;
- h. Failed to warn the Plaintiff of the dangerous condition on the floors when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;
- i. Failed to warn, block off, post signage, and/or barricade the floor to prevent injury to Plaintiff;
- j. Failed to ensure a safe, suitable and proper place for Plaintiff to walk while she was a customer in the premises;
- k. Failed to provide adequate safeguards to prevent the Plaintiff from injury while lawfully upon said premises;
- l. Failed to provide the Plaintiff with a safe pathway to walk within the premises;
- m. Failed to provide the Plaintiff with a safe pathway to walk while exiting the premises; and/or
- n. Was otherwise careless or negligent.

9. That on the aforementioned date and as a result of the aforesaid acts of the Defendant **WENDY'S PROPERTIES**, the Plaintiff was caused to slip and fall due to liquid on the floor of the premises as she was exiting the restaurant.

10. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant **WENDY'S PROPERTIES**, the Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to her usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish; both in mind and body and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.



WHEREFORE, the Plaintiff, **LATASHA COLVARD**, demands judgment against the Defendant **WENDY'S PROPERTIES, LLC**, in a dollar amount to satisfy the jurisdictional limitation of this Court and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

COUNT IV - PREMISES
Latasha Colvard v. Wendy's Properties, LLC

NOW COMES the Plaintiff, **LATASHA COLVARD**, by and through her attorneys, TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC, and brings this Complaint at Law against Defendant **WENDY'S PROPERTIES, LLC**, and in support thereof, states as follows:

1. At all times relevant to this cause of action, Plaintiff **LATASHA COLVARD** (hereinafter "**LATASHA**") was a resident of the County of Cook, State of Illinois.
2. At all times relevant to this cause of action, Defendant **WENDY'S PROPERTIES, LLC** (hereinafter "**WENDY'S PROPERTIES**") was a domestic corporation licensed to do business in the State of Illinois with its registered agent address as United Agent Group, Inc., 350 South Northwest Highway, Suite 300, Park Ridge, Illinois 60068.
3. On March 24, 2021, and for a long time prior thereto, the Defendant **WENDY'S PROPERTIES**, owned, leased, possessed, operated, managed, maintained, designed, inspected, planned, and controlled or had a duty to own, lease, possess, operate, manage, maintain, design, inspect, plan and control, both directly and indirectly, individually and through its agent, servants and employees, a certain premise located at or near 8645 South Stony Island Avenue, Chicago, Illinois 60617.
4. On March 24, 2021, Plaintiff **LATASHA**, was lawfully on the premises of Defendant **WENDY'S PROPERTIES**, located at 8645 South Stony Island Avenue, Chicago, Illinois 60617 (hereinafter "premises") as a customer of the store.

5. On and before March 24, 2021, and at all times relevant, Defendant **WENDY'S PROPERTIES**, individually and/or by and through its agents, servants and employees, retained the right to control, manage and maintain the aforesaid premises.

6. On March 24, 2021 and prior thereto, the Defendant, **WENDY'S PROPERTIES**, individually and/or by and through its agents, servants and employees, well knowing its duty in this regard, carelessly and negligently caused and permitted said premises to become and remain in a dangerous condition for persons using said premises, although the Defendant knew, or in the exercise of ordinary and reasonable care should have known, of said dangerous condition.

7. That at the aforesaid time and place, Plaintiff **LATASHA** was walking within the premises to exit the restaurant.

8. Defendant **WENDY'S PROPERTIES**, individually and/or by and through its agents, servants and employees, was then and there guilty of one or more of the following careless and negligent acts and/or omissions:

- a. Improperly operated, managed, maintained, and controlled the aforesaid premises, so that as a direct and proximate result thereof, the Plaintiff was injured;
- b. Created a dangerous condition on the premises;
- c. Allowed and permitted liquid to be on the floor of the premises;
- d. Failed to warn customers, including Plaintiff of the liquid on the floor of the premises;
- e. Failed to maintain the floors, aisles and/or customer walkways entering and exiting the premises, in a reasonable, safe and proper condition;
- f. Failed to properly and adequately remove liquid from the floor of the premises;
- g. Failed to make a reasonable inspection of the aforesaid floors when the Defendant knew, or should have known, that said inspection was necessary to prevent injury to the Plaintiff;

- h. Failed to warn the Plaintiff of the dangerous condition on the floors when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;
- i. Failed to warn, block off, post signage, and/or barricade the floor to prevent injury to Plaintiff;
- j. Failed to ensure a safe, suitable and proper place for Plaintiff to walk while she was a customer in the premises;
- k. Failed to provide adequate safeguards to prevent the Plaintiff from injury while lawfully upon said premises;
- l. Failed to provide the Plaintiff with a safe pathway to walk within the premises;
- m. Failed to provide the Plaintiff with a safe pathway to walk while exiting the premises; and/or
- n. Was otherwise careless or negligent.

9. That on the aforementioned date and as a result of the aforesaid acts of the Defendant **WENDY'S PROPERTIES**, the Plaintiff was caused to slip and fall due to liquid on the floor of the premises as she was exiting the restaurant.

10. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant **WENDY'S PROPERTIES**, the Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to her usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish; both in mind and body and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.



WHEREFORE, the Plaintiff, **LATASHA COLVARD**, demands judgment against the Defendant, **WENDY'S PROPERTIES, LLC**, in a dollar amount to satisfy the jurisdictional limitation of this Court and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

Respectfully submitted,

An Attorney for Plaintiff

Atty. No.: 61090
Patricia A. Hudson
Jonathan D. Treshansky
TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC
225 W. Wacker Dr., Suite 1650
Chicago, Illinois 60606
Telephone: (312) 586-1700
Fax: (312) 586-1701
phudson@tpmblegal.com
jtreshansky@tpmblegal.com

FILED

6/13/2022 3:38 PM

IRIS Y. MARTINEZ

CIRCUIT CLERK

COOK COUNTY, IL

2022L005306

Calendar, C

18269880

**IN THE CIRCUIT COURT COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

LATASHA COLVARD,

**Plaintiff,
vs.**

**WENDY'S INTERNATIONAL, LLC,
and WENDY'S PROPERTIES, LLC,**

Defendant.

Court No.

Jury Demand

RULE 222(b) AFFIDAVIT

Now comes the Affiant, PATRICIA A. HUDSON, and states the following under oath:

1. That she is one of the attorneys for the Plaintiff in this matter;
2. The total money damages sought in this matter exceeds \$50,000.00, exclusive of interest and costs.

Affiant further sayeth naught.



Patricia A. Hudson

☒ Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, I certify that the statements set forth herein are true and correct.

Atty. No.: 61090

Patricia A. Hudson

Jonathan D. Treshansky

TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC

225 W. Wacker Dr., Suite 1650

Chicago, Illinois 60606

Telephone: (312) 586-1700

Fax: (312) 586-1701

phudson@tpmblegal.com

jtreshansky@tpmblegal.com

JUN 23 2022